

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

Index No.:

-----X  
TY-LAIK GRANT and KALINF GRANT,

Plaintiff(s),

-against-

**VERIFIED COMPLAINT**

THE CITY OF NEW YORK, NEW YORK CITY  
POLICE DEPARTMENT and POLICE OFFICER  
MATTHEW GIUNTA, TAX REGISTRY #947033,  
OF THE 75<sup>TH</sup> PRECINCT,

Defendant(s),  
-----X

Plaintiffs, by and through their attorney, Law Office of Andrew C. Laufer, PLLC  
complaining of the defendants herein, upon information and belief, respectfully show to this  
Court, and allege as follows:

**PRELIMINARY STATEMENT**

1. That at all times hereinafter mentioned the plaintiffs TY-LAIK GRANT and KALINF GRANT were residents of the County of Kings, City and State of New York.
2. That at all times hereinafter mentioned the defendant, THE CITY OF NEW YORK was and is a municipal corporation, duly organized and existing under by virtue of the laws of the State of New York.
3. That at all times hereinafter mentioned the defendant, NEW YORK CITY POLICE DEPARTMENT was and is a municipal corporation, duly organized and existing under by virtue of the laws of the State of New York.
4. That at all times hereinafter mentioned the defendant, POLICE OFFICER MATTHEW GIUNTA, TAX REGISTRY #947033 OF THE 75<sup>TH</sup> PRECINCT, was and still are employed with the NEW YORK CITY POLICE DEPARTMENT.

5. That prior to the institution of this action, a notice of claim was duly served upon and filed with the city on behalf of plaintiff.

6. That on or about November 20, 2015 a hearing was held by the City pursuant to municipal law 50H.

7. That at all time herein mentioned the officer was acting within the scope and course of his employment with the New York Police Department, and under color of state law.

8. That at all times herein mentioned, all of the actions of the officer alleged herein was done within the scope and course of his employment with the New York Police Department, and under color of the state law.

9. That all of the causes of action pleaded herein fall within one or more of the exceptions set forth in New York's Civil Practice Law & Rules 1602 with respect to joint and several liability.

#### **FIRST CAUSE OF ACTION**

10. Plaintiff repeats and realleges each and every allegation contained above as though set forth at length herein.

11. That on or about August 9, 2015, at approximately 2:00AM on or about Bradford Street between Blake Avenue and Sutter Avenue, Brooklyn, New York, County of Kings, City and State of New York, its agents, servants and employees, including but not limited to officers of the 75<sup>th</sup> precinct, wrongfully and falsely arrested, imprisoned and detained plaintiff without any right or justifiable grounds therefore.

12. That the aforesaid arrest, detention and imprisonment continued at the 75<sup>th</sup> Precinct and elsewhere.

13. That the said arrest, detention and imprisonment was caused by the City, its agents, servants and employees, including but not limited to the police officers, without a warrant and without any reasonable cause or belief that plaintiff was in fact guilty of any crime.

14. That the city, its agents, servants and employees, as set forth above, intended to confine plaintiff; that plaintiff was conscious of the confinement; that plaintiff did not consent to the confinement; and that the confinement was not otherwise privileged.

15. That by reason of the false arrest, imprisonment and detention of plaintiff, plaintiff was subjected to great indignities, humiliation and ridicule in being so detained, and was greatly injured in his credit and circumstances and was prevented and hindered from performing and transacting his necessary affairs and his business and employment, and was caused to suffer much pain in both mind and body, and to sustain economic loss, and was otherwise damaged.

#### **SECOND CAUSE OF ACTION**

16. Plaintiff repeats and realleges each and every allegation contained in the First Cause of Action as if fully set forth at length herein.

17. That immediately prior to and during the course of his arrest and detention, plaintiff was assaulted and battered by said police officers.

18. That the reason of the aforesaid, plaintiff sustained personal injuries, endured and will endure pain and suffering and loss of enjoyment of life, and economic loss, and was otherwise damaged.

### **THIRD CAUSE OF ACTION**

19. Plaintiff repeats and realleges each and every allegation contained in the First, Second and Third Causes of Action as if fully set forth at length herein.

20. That the aforesaid actions, and resulting injuries to plaintiff, were due to the negligence of the City in the hiring, retention, and training of its employees, including the police officers involved in the arrest, assault and battery, and malicious prosecution of the plaintiff.

### **FOURTH CAUSE OF ACTION**

22. Plaintiff repeats and realleges each and every allegation contained in the First, Second and Third and Fourth Causes of Action as if fully set forth at length herein.

23. That plaintiffs was deprived of their rights, privileges and immunities secured by the Constitution of the United States of America and of the state of New York, and their rights pursuant to 42 USC sec.1983 by those who, under color of a statute or regulation of a state, caused plaintiff to be so deprived by being falsely arrested, maliciously prosecuted and being victimized with excessive force.

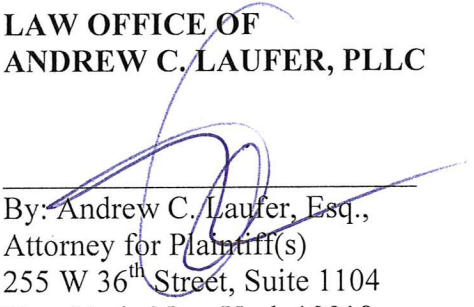
24. That the aforesaid actions by the detective officer were also done pursuant to an official municipal policy or custom of the city, which policy involved the indiscriminate detention, interrogation, intimidation, both psychosocially and physically and prosecution of individuals were engaged in criminal conduct, and for the purpose of thwarting the fair administration of justice.

25. That defendants herein, their agents, servants and employees, motivated in part by racial and/ or ethnic animus, conspired to deprived plaintiff of their federal civil and constitutional rights, in violation of 42 USC 1985.

**WHEREFORE**, plaintiffs demands judgment against defendants, and each of them, on all of the foregoing causes of action, in the form of compensatory damages for his pain and suffering, loss of enjoyment of life, and economic loss, in an amount that exceeds the jurisdictional limits of all lower courts that otherwise would have jurisdiction in the matter, and plaintiff further demands punitive damages on all causes of action, in an amount to be determined by the trier of fact, together with attorney's fees, and together with costs and disbursements.

Dated: New York, New York  
February 5, 2016

**LAW OFFICE OF  
ANDREW C. LAUFER, PLLC**



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By: Andrew C. Laufer, Esq.,  
Attorney for Plaintiff(s)  
255 W 36<sup>th</sup> Street, Suite 1104  
New York, New York 10018  
(212)422-1020

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

Index No.:

-----X  
TY-LAIK GRANT and KALINF GRANT,

Plaintiff(s),

-against-

**VERIFICATION**

THE CITY OF NEW YORK, NEW YORK CITY  
POLICE DEPARTMENT and POLICE OFFICER  
MATTHEW GIUNTA, TAX REGISTRY #947033,  
OF THE 75<sup>TH</sup> PRECINCT,

Defendant(s),  
-----X

ANDREW C. LAUFER, an attorney duly admitted to practice law in the Courts of New York, affirms the following to be true:

1. That I am a principal of the Law Office of Andrew C. Laufer, PLLC, attorney for the plaintiffs, TY-LAIK GRANT and KALINF GRANT, in the within action. That I have read the foregoing complaint and know the contents thereof, and that the same are true to my knowledge, except as to the matters herein stated to be alleged upon information and belief, and that as to these matters I believe them to be true.
2. That the sources of my information and knowledge are records and investigation reports maintained within the file.
3. That the reason this verification is made by the affirmant and not by the plaintiff is that the plaintiff does not reside in the County of New York, which is the county wherein this firm maintains its office.

Dated: New York, New York  
February 5, 2016

**LAW OFFICE OF  
ANDREW C. LAUFER, PLLC**



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By: Andrew C. Laufer, Esq.,  
Attorney for Plaintiff(s)  
255 W 36<sup>th</sup> Street, Suite 1104  
New York, New York 10018  
(212)422-1020

TY-LAIK GRANT and KALINF GRANT,

Plaintiff,

-against-

THE CITY OF NEW YORK, NEW YORK CITY  
POLICE DEPARTMENT and POLICE OFFICER  
MATTHEW GIUNTA, TAX REGISTRY #947033,  
OF THE 75th PRECINCT,

Defendants,

**SUMMONS AND COMPLAINT**

LAW OFFICE OF ANDREW C. LAUFER

**Attorney(s) for Plaintiff**

Office and Post Office Address  
255 W. 36th Street, Suite 1104  
New York, NY 10018

Tel: (212) 422 1020  
Fax: (212) 422 1069

To:

Signature (Rule 130-1.1-a)

Print name beneath

Service of a copy of the within is hereby admitted.

Dated:

Attorney(s) for:

**PLEASE TAKE NOTICE:**

☐ **NOTICE OF ENTRY**

that the within is a (certified) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ **NOTICE OF SETTLEMENT**

that an order of which the within is a true copy  
will be presented for settlement to the HON one of the judges of the  
within named Court at

on at M.  
Dated,

Yours, etc.

Law Office of Andrew C. Laufer